AMENDMENT TRANSMITTAL LETTER (Small Entity) Docket No. Applicant(s): CORNAY 5770.04 Group Art Unit Serial No. Filing Date Examiner 09/707430 6 November 2000 C. Cooley 1723 PECEIVED OCT 0 9 2001 TC 1700 CONCENTRIC TUBULAR CENTRIFUGE TO THE ASSISTANT COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted. A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed. The fee has been calculated and is transmitted as shown below. **CLAIMS AS AMENDED** HIGHEST # NUMBER EXTRA **ADDITIONAL** CLAIMS REMAINING RATE PREV. PAID FOR AFTER AMENDMENT CLAIMS PRESENT FEE **TOTAL CLAIMS** 5 20 0 | x\$9.00 \$0.00 \$0.00 1 3 0|x\$40.00 INDEP. CLAIMS \$0.00 Multiple Dependent Claims (check if applicable) \$0.00 TOTAL ADDITIONAL FEE FOR THIS AMENDMENT No additional fee is required for amendment. Please charge Deposit Account No. in the amount of A duplicate copy of this sheet is enclosed. A check in the amount of to cover the filing fee is enclosed. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 04-1415 A duplicate copy of this sheet is enclosed. Any additional filing fees required under 37 C.F.R. 1.16. Any patent application processing fees under 37 CFR 1.17. Dated: 10/3/200/ Anthony P. Gangemi, Reg/No. 42,565 **USPTO Customer No. 20686** Sertify that this document and fee is being deposited, with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. Signature of Person Mailing Correspondence

cc: ERTH, LLC

P11SMALL/REV06

Typed or Printed Name of Person Mailing Correspondence

HE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Paul J. CORNAY

Examiner:

C. Cooley

Appl. No. 09/707430

Art Unit:

1723

Filed: 6 November 2000

For:

CONCENTRIC TUBULAR CENTRIFUGE

Box AF Commissioner for Patents Washington, D.C. 20231

Express Mailing label number EL809714978US Date of Deposit: ___October 3, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service AExpress Mail Post Office to Addressee service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Name:

Signature:

Jane Lalis

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Sir:

This Amendment and Response is filed in response to the Final Office Action dated August 3, 2001, setting a shortened statutory period for response expiring on November 3, 2001. However, because the applicant is responding within two months of the mailing date, in the event a notice of allowance is not issued, the applicant respectfully requests an advisory action. The amendments made to the claims herein are believed to be minor in nature thereby not requiring additional searching by the Examiner.

Please consider the following amendments and remarks in response to the Final Office Action mailed August 3, 2001.